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I hereby certify that this correspondence is being filed electronically with the U.S. Patent and Trademark Office on the below date:

Date April 16, 2008 Name: John G. Rauch Signature: /John G. Rauch/

Our Case No. 10808/145
Client ref. In1221WOUS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Schuler, Franz, et al.)	
)	Examiner: Louie, Wai Sing
Serial No. 10/501,406)	
)	Group Art Unit No. 2814
Filing Date: January 7, 2005)	Confirmation No. 9530
)	
For NON-VOLATILE TWO-)	
TRANSISTOR SEMICONDUCTOR)	
MEMORY CELL AND METHOD)	
FOR PRODUCING THE SAME)	

**PETITION UNDER 37 C.F.R. § 1.313(C) FOR WITHDRAWAL
OF APPLICATION FROM ISSUE**

M/S Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Petitioner hereby petitions for withdrawal of the above-identified application from issue for consideration of a Request for Continued Examination under 37 C.F.R. § 1.114. Because the Issue Fee has already been paid in this case, it is not possible to have an Information Disclosure Statement considered and made of record in the present application. Accordingly, your Petitioner is filing this present Petition to

Withdraw this application from issuance so that a Request for Continued Examination may be considered and an Information Disclosure Statement may be entered.

A Request for Continued Examination (RCE) and a Supplemental Information Disclosure Statement (IDS) are attached hereto, including copies of four cited references. In addition, a Power of Attorney to practitioners associated with Customer Number 48581, including the undersigned, is attached.

Your Petitioner respectfully requests that this Petition be granted so that the RCE may go forward and the IDS may be considered and made of record. The Commissioner is authorized to charge the \$130 Petition fee to Deposit Account No. 23-1925.

The Commissioner is authorized to charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 23-1925. A duplicate of this paper is attached.

Respectfully submitted,

Dated: April 16, 2008

/John G. Rauch/
John G. Rauch
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